

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

|                           |   |                      |
|---------------------------|---|----------------------|
| MARK WUNDERLI,            | ) |                      |
|                           | ) |                      |
| Petitioner,               | ) |                      |
|                           | ) |                      |
| v.                        | ) | No. 4:14-CV-1765 JAR |
|                           | ) |                      |
| UNITED STATES OF AMERICA, | ) |                      |
|                           | ) |                      |
| Respondent.               | ) |                      |

**MEMORANDUM AND ORDER**

This matter is before the Court on Petitioner's Motion For Request Documents [sic] and Additional Time and Legal Counsel. (Doc. No. 19) In addition to the docket sheet for Case No. 4:11CR538JAR, Petitioner requests the following documents from his criminal file:

1. Documents 22-25, Pretrial Motions
2. Documents 27, 30, Evidentiary Hearing, February 16, 2012
3. Document 38, Order for Denial, March 27, 2012
4. Unknown Document No., Mr. Lynch's objection, April 13, 2012
5. Documents 41, 43, Court Adoption of Doc. No. 38, April 25, 2012
6. Document 93, Lynch's sentencing memorandum
7. Document 103, Judgment
8. Document 77
9. Document 106, Notice of Appeal, February 38, 2014
10. Document 120, Plea Transcript
11. Document 111, Sentencing Hearing Transcript

12. Document 80, part of plea agreement

The Court will direct the Clerk of Court to provide Petitioner with copies of the requested documents to the extent they are available. Petitioner also requests an extension of time to file a supplement to his section 2255 petition. The Court previously granted Petitioner a twenty (20) day extension to file a supplement to his petition. (Doc. No. 18) Upon consideration the Court will grant Petitioner an additional sixty (60) days from the date of this order to complete his filing.

Finally, Petitioner renews his request for appointment of counsel. Petitioner first requested appointment of counsel on October 17, 2014. (Doc. No. 3) Plaintiff's request was considered in light of relevant factors, see Redfield Lithograph Printing, 728 F.2d 1003, 1004 (8th Cir. 1984) and Johnson v. Williams, 788 F.2d 1319, 1322-23 (8th Cir. 1986), and denied on October 28, 2014. (Doc. No. 6) The Court finds nothing in the record to cause it to reconsider its previous order denying Petitioner's motion for appointment of counsel. The claims and underlying facts of this case are relatively straight forward and do not involve any complex legal issues. Moreover, based on Petitioner's presentation of the issues in his petition, he seems quite capable of litigating this action on his own. Therefore, his motion for appointment of counsel will be denied.

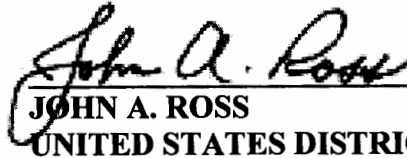
Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's Motion For Request Documents [sic] and Additional Time and Legal Counsel [19] is **GRANTED** in part. The Clerk of Court is **DIRECTED** to send Petitioner a copy of the documents he has requested from the criminal case, 4:11CR538JAR.

**IT IS FURTHER ORDERED** that Petitioner is granted leave to file a supplement to his section 2255 petition within sixty (60) days from the date of this order.

**IT IS FINALLY ORDERED** that Petitioner's request for appointment of counsel is **DENIED** without prejudice.

Dated this 31<sup>st</sup> day of August, 2015.

  
\_\_\_\_\_  
**JOHN A. ROSS**  
**UNITED STATES DISTRICT JUDGE**